IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6997 OF 2005

Shaikh Usman Education Society & Ors. ..Petitioners.
Versus
Mohd. Ayub Mohd. Ishaque Naga & Ors. ..Respondents.

Mr. N.E. Bubna for the Petitioners.
Ms. V. Mhaispurkar, AGP for the Resopndent No.17.

CORAM : S. A. BOBDE, J.
DATED : 13TH OCTOBER, 2005.

P.C.:

1. The petitioners have challenged the order dated 09.09.2005, by which the IIIrd Ad-hoc Addl. District Judge, Malegaon has refused to grant stay to the scheme framed by the Assistant Charity Commissioner. Mr. Bubna, the learned Advocate for the petitioners submitted that the change reports in regard to the removal of the petitioners and the appointment of the respondents as trustees, are pending and therefore, it was not appropriate on the part of the learned District Judge not to stay the order under which the scheme is framed. I find that adequate reasons are given by the learned Additional District Judge for refusing stay. This is an interlocutory order and does not call for any interference in the extra-ordinary jurisdiction of this court.

2. In the circumstances, I am not inclined to entertain this petition. Hence, dismissed.

3. However, the learned Additional District Judge is hereby directed to dispose of the Misc. Application No. 30 of 2005 and other Civil Application No. 28 of 2005 as expeditiously as possible and in any case not later than four months from the next date.

4. The learned Assistant Charity Commissioner is directed to decide the change reports as expeditiously as possible and in any case not later than six months from today.

5. The learned AGP is directed to communicate this order to the aforesaid courts.

DT. 13.10.05 (S.A.BOBDE,J)

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